



Committee on Education Appropriations

**Thursday, February 23, 2006
9:00 a.m. – 5:00 p.m.
212 Knott**

ACTION PACKET

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Joe Pickens (Chair)	X		
Thad Altman	X		
Bruce Antone	X		
Rafael Arza			X
Frank Attkisson			X
Dennis Baxley	X		
Dorothy Bendross-Mindingall	X		
Larry Cretul	X		
Faye Culp			X
Nancy Detert			X
Anitere Flores	X		
Susan Goldstein	X		
Ron Greenstein	X		
Charlie Justice			X
David Meador	X		
William Proctor	X		
David Rivera	X		
David Simmons	X		
Anthony Traviesa	X		
Shelley Vana	X		
Totals:	15	0	5

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building
HB 205 : Student Financial Assistance

<input checked="" type="checkbox"/> <i>Favorable</i>					
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thad Altman	X				
Bruce Antone		X			
Rafael Arza			X		
Frank Attkisson			X		
Dennis Baxley	X				
Dorothy Bendross-Mindingall		X			
Larry Cretul	X				
Faye Culp			X		
Nancy Detert			X		
Anitere Flores			X		
Susan Goldstein	X				
Ron Greenstein	X				
Charlie Justice			X		
David Mealor	X				
William Proctor	X				
David Rivera	X				
David Simmons	X				
Anthony Traviesa	X				
Shelley Vana		X			
Joe Pickens (Chair)	X				
Total Yeas: 11		Total Nays: 3			

Appearances:

Mark Rosenberg (Lobbyist) (State Employee) (General Public) - Information Only
 State University System
 325 W. Gaines Street
 Tallahassee FL

Nate Johnson (State Employee) (General Public) - Information Only
 State University System
 325 W. Gaines Street
 Tallahassee FL
 Phone: 850-245-0470

Financial Aid for International Students
 Larry Henderson (State Employee) (General Public) - Information Only
 FAMU
 Tallahassee FL

Michael Fischer (Lobbyist) (General Public) - Information Only
 Florida Student Association
 1311 Paul Russell Road
 Tallahassee FL 32303
 Phone: 850-877-7500

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

COMMITTEE MEETING REPORT
Education Appropriations Committee

2/23/2006 9:00:00AM

Location: 212 Knott Building

Cynthia Green (State Employee) (General Public) - Information Only

FSU International Center

107 S. Wildwood

Tallahassee FL 32306

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building
HB 291 CS : Public School Grading System

<input checked="" type="checkbox"/> <i>Favorable</i>					
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thad Altman	X				
Bruce Antone	X				
Rafael Arza			X		
Frank Attkisson			X		
Dennis Baxley	X				
Dorothy Bendross-Mindingall		X			
Larry Cretul	X				
Faye Culp			X		
Nancy Detert			X		
Anitere Flores			X		
Susan Goldstein	X				
Ron Greenstein				X	
Charlie Justice			X		
David Mealor			X		
William Proctor	X				
David Rivera	X				
David Simmons	X				
Anthony Traviesa	X				
Shelley Vana		X			
Joe Pickens (Chair)	X				
Total Yeas: 10		Total Nays: 2			

Appearances:

School Grading System
 John Cerra (Lobbyist) (General Public) - Proponent
 NEFEC
 206-B South Monroe Street
 Tallahassee FL 32301
 Phone: 786-525-6233

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building

HJR 447 CS : Requiring 65 Percent of Education Funds for Classroom Related Instruction; Flexible Class Size Reduction Implementation

☒ **Favorable**

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thad Altman	X				
Bruce Antone		X			
Rafael Arza			X		
Frank Attkisson			X		
Dennis Baxley	X				
Dorothy Bendross-Mindingall		X			
Larry Cretul	X				
Faye Culp			X		
Nancy Detert			X		
Anitere Flores	X				
Susan Goldstein	X				
Ron Greenstein		X			
Charlie Justice			X		
David Mealor			X		
William Proctor	X				
David Rivera	X				
David Simmons	X				
Anthony Traviesa	X				
Shelley Vana		X			
Joe Pickens (Chair)	X				
Total Yeas: 10		Total Nays: 4			

Appearances:

Bill Montford (General Public) - Proponent
 Florida Association of District School Superintendents
 2757 W. Pensacola Street
 Tallahassee FL 32304
 Phone: 850-487-7147

Mark Walsh (Lobbyist) (State Employee) (General Public) - Proponent
 Florida Department of Education
 325 W. Gaines Street
 Tallahassee FL 32399
 Phone: 850-245-0507

Marshall Ogletree (Lobbyist) (General Public) - Opponent
 Florida Education Association
 213 S. Adams Street
 Tallahassee FL 32301
 Phone: 850-224-2078

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building

Mark Neimeiser (Lobbyist) (General Public) - Opponent

AFSCME Local 1184

1310 Cross Creek Circle

Tallahassee FL 32301

Phone: 850-591-7007

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building

HB 557 : Uses of the District School Tax

<input checked="" type="checkbox"/> <i>Favorable With Committee Substitute</i>					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thad Altman	X				
Bruce Antone	X				
Rafael Arza			X		
Frank Attkisson			X		
Dennis Baxley	X				
Dorothy Bendross-Mindingall	X				
Larry Cretul	X				
Faye Culp			X		
Nancy Detert			X		
Anitere Flores			X		
Susan Goldstein	X				
Ron Greenstein	X				
Charlie Justice			X		
David Mealor			X		
William Proctor	X				
David Rivera	X				
David Simmons	X				
Anthony Traviesa	X				
Shelley Vana	X				
Joe Pickens (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Marshall Ogletree (Lobbyist) (General Public) - Proponent
 Florida Education Association
 213 S. Adams Street
 Tallahassee FL 32301

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

COMMITTEE MEETING REPORT
Education Appropriations Committee
2/23/2006 9:00:00AM

Location: 212 Knott Building

Summary:

Education Appropriations Committee

Thursday February 23, 2006 09:00 am

HB 205 Favorable

Yeas: 11 Nays: 3

HB 291 CS Favorable

Yeas: 10 Nays: 2

HJR 447 CS Favorable

Yeas: 10 Nays: 4

HB 557 Favorable With Committee Substitute

Yeas: 13 Nays: 0

Committee meeting was reported out: Thursday, February 23, 2006 1:10:49PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01

Bill No. HJR 447

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT ☒ (Y/N) 2/23/06

WITHDRAWN _____ (Y/N)

OTHER _____

Council/Committee hearing bill: Education Appropriations

Committee

Representative(s) Vana offered the following:

Amendment (with ballot statement)

Remove line(s) 63-73 and insert:

(c) In exceptional circumstances a school district may request from the governor a temporary waiver of the class size requirements of subsection (b) which the governor may grant, partially grant, or deny.

(d) (1) ~~(b)~~ Every four-year old child in Florida shall be

===== B A L L O T S T A T E M E N T A M E N D M E N T =====

Remove line(s) 98-116 and insert:

FLEXIBLE CLASS SIZE REDUCTION IMPLEMENTATION.--Proposing an amendment to the State Constitution to require school districts to provide flexibility for school districts in meeting class size reduction requirements by calculating compliance at a school district average number of students who are assigned to a teacher in specified grades; to specify the maximum number of students who may be assigned to one teacher in an individual

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01

23 class; to require implementation of the class size reduction
24 requirements by the beginning of the 2009-2010 school year and
25 for each school year thereafter; to exempt virtual classes from
26 the class size requirements; and to authorize, in exceptional
27 circumstances, a school district to request from the Governor a
28 temporary waiver of the class size reduction requirements.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

Bill No. HJR 447

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT ☒ (Y/N) 2/23/06

WITHDRAWN _____ (Y/N)

OTHER _____

Council/Committee hearing bill: Education Appropriations

Committee

Representative(s) Bendross-Mindingall offers the following:

Amendment (with ballot statement)

Remove line(s) 19-93 and insert:

SECTION 1. Public education.—

(a) The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require. To assure that children attending public schools obtain a high quality education, the legislature shall make adequate provision to ensure that, by the beginning of the 2010 school year, there are a sufficient number of classrooms so that:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

(1) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for prekindergarten through grade 3 does not exceed 18 students;

(2) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 4 through 8 does not exceed 22 students; and

(3) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 9 through 12 does not exceed 25 students.

The class size requirements of this subsection do not apply to extracurricular classes. Payment of the costs associated with reducing class size to meet these requirements is the responsibility of the state and not of local schools districts. Beginning with the 2003-2004 fiscal year, the legislature shall provide sufficient funds to reduce the average number of students in each classroom by at least two students per year until the maximum number of students per classroom does not exceed the requirements of this subsection.

(b) By 2009-2010, the average minimum salary for full-time public school teachers shall be no less than the national average beginning pay for public school teachers, as provided by law. By 2009-2010, the average salary for full-time public school teachers shall be no less than the national average, as provided by law. The increases in the beginning and average full-time public school teacher salaries shall be independent of employee benefits and shall not alter, jeopardize, or decrease existing employee benefits. Payment of the costs associated with increasing beginning and average teacher pay is the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

51 responsibility of the state and not of school districts. Nothing
52 in this subsection shall impair collective bargaining. The
53 provision of this subsection shall take effect July 1 following
54 approval by the electors.

55 (c) ~~(b)~~ Every four-year old child in Florida shall be
56 provided by the State a high quality pre-kindergarten learning
57 opportunity in the form of an early childhood development and
58 education program which shall be voluntary, high quality, free,
59 and delivered according to professionally accepted standards. An
60 early childhood development and education program means an
61 organized program designed to address and enhance each child's
62 ability to make age appropriate progress in an appropriate range
63 of settings in the development of language and cognitive
64 capabilities and emotional, social, regulatory and moral
65 capacities through education in basic skills and such other
66 skills as the Legislature may determine to be appropriate.

67 (d) ~~(e)~~ The early childhood education and development
68 programs provided by reason of subparagraph (b) shall be
69 implemented no later than the beginning of the 2005 school year
70 through funds generated in addition to those used for existing
71 education, health, and development programs. Existing education,
72 health, and development programs are those funded by the State
73 as of January 1, 2002 that provided for child or adult
74 education, health care, or development.

75
76
77 ===== B A L L O T S T A T E M E N T A M E N D M E N T =====

78 Remove line(s) 98-116 and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

ESTABLISHING BEGINNING AND AVERAGE TEACHER SALARIES.--

Proposes an amendment to Section 1 of Article IX of the State Constitution to require that by 2010, the average minimum salary for full-time public school teachers shall be no less than the national average beginning pay for public school teachers, as provided by law; to require that, by 2010, the average salary for full-time public school teachers shall be no less than the national average, as provided by law; to provide that the increases in the beginning and average full-time public school teacher salaries shall be independent of employee benefits and shall not alter, jeopardize, or decrease existing employee benefits; to provide that payment of the costs associated with increasing beginning and average teacher pay is the responsibility of the state and not of school districts; to provide that nothing in this amendment providing for beginning and average teacher salaries shall impair collective bargaining; and to provide for taking effect July 1 following approval by the electors.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 03

Bill No. HJR 447

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT ✓ (Y/N) 2/23/06
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Education Appropriations
Committee

Representative(s) Antone offered the following:

Amendment (with ballot statement)

Strike line 68 - 73 and insert:

(d) Classroom instruction means: salaries and benefits for teachers and paraprofessionals; costs for instructional materials and supplies; costs associated with classroom related activities that include field trips, athletics, music and arts; tuition paid to out of state school districts and private institutions for special needs students; costs for plant operations and maintenance; food services; transportation; instructional and student support including media centers, teacher training, nurses, guidance counselors, and school resource officers.

(e) In exceptional circumstances a school district may request from the governor a temporary waiver of the class size requirements of subsection (b) or the classroom instruction expenditure requirement of subsection (c), which the governor may grant, partially grant, or deny.

(f) (1) ~~(b)~~ Every four-year old child in Florida shall be

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. 03

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B A L L O T S T A T E M E N T A M E N D M E N T =====

Remove line(s) 98-116 and insert:

REQUIRING 65 PERCENT OF EDUCATION FUNDS FOR CLASSROOM
RELATED INSTRUCTION; FLEXIBLE CLASS SIZE REDUCTION
IMPLEMENTATION.--Proposing an amendment to the State
Constitution to require school districts to expend at least 65
percent of their operational funds for classroom related
instruction as defined by law; to provide flexibility for school
districts in meeting class size reduction requirements by
calculating compliance at a school district average number of
students who are assigned to a teacher in specified grades; to
specify the maximum number of students who may be assigned to
one teacher in an individual class; to require implementation of
the class size reduction requirements and the classroom
instruction expenditure requirement by the beginning of the
2009-2010 school year and for each school year thereafter; to
exempt virtual classes from the class size requirements; to
provide the meaning of classroom instruction; and to authorize,
in exceptional circumstances, a school district to request from
the Governor a temporary waiver of the class size reduction
requirements or the 65-percent classroom instruction expenditure
requirement.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01

Bill No. 557

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

2/23/06

Council/Committee hearing bill: Education Appropriations

Committee

Representative Pickens offered the following:

Amendment (with title amendment)

On line 11 insert the following:

Section 1. Paragraph (a) of subsection (9) of section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.--

(9) (a) In addition to the notice required in subsection (3), a district school board shall publish a second notice of intent to levy additional taxes under s. 1011.71(2). Such notice shall specify the projects or number of school buses anticipated to be funded by such additional taxes and shall be published in the size, within the time periods, adjacent to, and in substantial conformity with the advertisement required under subsection (3). The projects shall be listed in priority within each category as follows: construction and remodeling; maintenance, renovation, and repair; motor vehicle purchases; new and replacement equipment; payments for educational

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01

22 facilities and sites due under a lease-purchase agreement;
23 payments for renting and leasing educational facilities and
24 sites; payments of loans approved pursuant to ss. 1011.14 and
25 1011.15; payment of costs of compliance with environmental
26 statutes and regulations; payment of health, property, and
27 casualty insurance costs of the school district; payment of
28 costs of leasing relocatable educational facilities; and
29 payments to private entities to offset the cost of school buses
30 pursuant to s. 1011.71(2)(i). The additional notice shall be in
31 the following form, except that if the district school board is
32 proposing to levy the same millage under s. 1011.71(2) which it
33 levied in the prior year, the words "continue to" shall be
34 inserted before the word "impose" in the first sentence, and
35 except that the second sentence of the second paragraph shall be
36 deleted if the district is advertising pursuant to paragraph
37 (3) (e):

38
39 NOTICE OF TAX FOR SCHOOL
40 CAPITAL OUTLAY
41

42 The (name of school district) will soon consider a
43 measure to impose a (number) mill property tax for the
44 capital outlay projects listed herein.

45 This tax is in addition to the school board's proposed tax
46 of (number) mills for operating expenses and is proposed
47 solely at the discretion of the school board. THE PROPOSED
48 COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES
49 AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.

50 The capital outlay tax will generate approximately \$
51 (amount) , to be used for the following projects:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01

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(list of capital outlay projects)

All concerned citizens are invited to a public hearing to
be held on (date and time) at (meeting place) .

A DECISION on the proposed CAPITAL OUTLAY TAXES will be
made at this hearing.

===== T I T L E A M E N D M E N T =====

Remove line 3 and insert the following:

amending ss. 200.065 and 1011.71, F.S.; including health,
property, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

Bill No. 557

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N) 2/23/06

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

1 Council/Committee hearing bill: Education Appropriations

2 Committee

3 Representative Pickens offered the following:

4
5 **Amendment (with directory amendment)**

6
7 Remove line(s) 26-43 and insert the following:

8
9 1011.71 District school tax.--

10 (5) (a) It is the intent of the Legislature that, by July
11 1, 2003, revenue generated by the millage levy authorized by
12 subsection (2) should be used only for the costs of
13 construction, renovation, remodeling, maintenance, and repair of
14 the educational plant; for the purchase, lease, or lease-
15 purchase of equipment, educational plants, and construction
16 materials directly related to the delivery of student
17 instruction; for the rental or lease of existing buildings, or
18 space within existing buildings, originally constructed or used
19 for purposes other than education, for conversion to use as
20 educational facilities; for the opening day collection for the
21 library media center of a new school; for the purchase, lease-

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

22 purchase, or lease of school buses or the payment to a private
23 entity to offset the cost of school buses pursuant to paragraph
24 (2)(i); and for servicing of payments related to certificates of
25 participation issued for any purpose prior to the effective date
26 of this act. Costs associated with the lease-purchase of
27 equipment, educational plants, and school buses may include the
28 issuance of certificates of participation on or after the
29 effective date of this act and the servicing of payments related
30 to certificates so issued. For purposes of this section,
31 "maintenance and repair" is defined in s. 1013.01.

32 (b) For purposes not delineated in paragraph (a) for which
33 proceeds received from millage levied under subsection (2) may
34 be legally expended, a district school board may spend no more
35 than the following percentages of the amount the district spent
36 for these purposes in fiscal year 1995-1996:

- 37 1. In fiscal year 2000-2001, 40 percent.
38 2. In fiscal year 2001-2002, 25 percent.
39 3. In fiscal year 2002-2003, 10 percent.

40 (c) Beginning July 1, 2003, revenue generated by the
41 millage levy authorized by subsection (2) must be used only for
42 the purposes delineated in paragraph (a).

43 (d) Notwithstanding any other provision of this
44 subsection, if through its adopted educational facilities plan a
45 district has clearly identified the need for an ancillary plant,
46 has provided opportunity for public input as to the relative
47 value of the ancillary plant versus an educational plant, and
48 has obtained public approval, the district may use revenue
49 generated by the millage levy authorized by subsection (2) for
50 the acquisition, construction, renovation, remodeling,
51 maintenance, or repair of an ancillary plant.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02

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53 A district that violates these expenditure restrictions shall
54 have an equal dollar reduction in funds appropriated to the
55 district under s. 1011.62 in the fiscal year following the audit
56 citation. The expenditure restrictions do not apply to any
57 school district that has met current year class size reduction
58 requirements of s. 1003.03 and certifies to the Commissioner of
59 Education that all of the district's instructional space needs
60 for the next 5 years can be met from capital outlay sources that
61 the district reasonably expects to receive during the next 5
62 years or from alternative scheduling or construction, leasing,
63 rezoning, or technological methodologies that exhibit sound
64 management.

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66 ===== D I R E C T O R Y A M E N D M E N T =====

67 Remove line(s) 12-14 and insert:

68
69 Section 1. Paragraph (j) is added to subsection (2) and
70 subsection (5) of section 1011.71, Florida Statutes, is amended
71 to read:
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